

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 1496 OF 2007

DATED: 29-01-2007

Between:

Sree Praveen Enterprises, rep.by its
Managing Partner, R. Ranga Reddy,
S/o. R. Anantha Ram Reddy

... Petitioner

And

Union of India, rep.by its
Flag Officer Commanding-in-Chief
Headquarters, Eastern Naval Command,
Naval Base, Visakhapatnam -14.

... Respondent

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WRIT PETITION NO. 1496 OF 2007

ORDER:

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The petitioner is awarded a contract in 2006, operational up to the end of April 2007 for supply of certain specified commodities to the Base Victualling Yard, Visakhapatnam. Clause.32 of the terms and conditions of the agreement between the parties inheres a discretion in the financial authority to consider increase of the contract rates suitably if the prevailing market price rises exorbitantly due to the failure of crops on account of floods, cyclones or force majeure.

On 09-10-2006, 17-11-2006, 01-12-2006 and 14-01-2007 the petitioner submitted representations to the

respondent seeking increase in the contract rates for the reasons set out in the representations.

The petitioner's grievance is that the respondent has not considered his representations.

In the circumstances, after hearing the learned counsel for the petitioner and the learned additional Standing Counsel for the Union, the writ petition is disposed of at the stage of admission directing the respondents to expeditiously and in any event, within a period of thirty (30) days from the date of receipt of a copy of this order, consider and communicate a reasoned decision to the petitioner on his representations. There shall however be no order as to costs.

GODA RAGHURAM, J.

Dt: 29-01-2007

Rns